

# Notice of Allowability

Application No.

09/245,347

Examiner

Alpus H. Hsu

Applicant(s)

AKAMATSU ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to examiner's amendment dated March 21, 2007.
2. ☒ The allowed claim(s) is/are 33-38, 47, 39-43, 48, 44-46 and 49 now renumbered as 1-17 in order.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20070330</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                    |
|  | 9. <input type="checkbox"/> Other _____  |

ALPUS H. HSU  
PRIMARY EXAMINER

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Carl I. Brundidge on March 30, 2007.

The application has been amended as follows:

In the claims:

**Claim 33** has been replaced by the following:

33. (currently amended) A receiver apparatus for receiving a program and outputting it to other apparatuses, comprising:
  - an output circuit for outputting said program to said other apparatus; and
  - a controller for controlling an output of said output circuit, so as to manage a number of said other apparatuses, through which the program can be simultaneously viewed or simultaneously recorded,
  - wherein said controller determines the number of said other apparatuses,
  - wherein said controller determines whether said other apparatuses are regularly certified apparatuses which can receive said program, and
  - wherein said controller restricts said other apparatuses, to which said output circuit can output said program, to the regularly certified apparatuses, and restricts said other apparatuses which can simultaneously view or simultaneously record the program being output to be less than or equal to ~~the~~ at least one of a number of said other apparatuses through which the

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program can be simultaneously viewed or a number of said other apparatuses through which the program can be simultaneously recorded.

**Claim 34** has been replaced with the following:

34. (currently amended) A receiver apparatus as defined in the claim 33, wherein said control circuit provides no program to the other apparatuses other than that, to which the control circuit is outputting at present, when the number of the other apparatuses to which the control circuit is outputting at present is equal to said ~~at least one of the~~ number of said other apparatuses through which the program can be simultaneously viewed or the number of said other apparatuses through which the program can be simultaneously recorded.

**Claim 37** has been replaced with the following:

37. (currently amended) A receiver apparatus as defined in the claim 33, wherein said control circuit interrupts an output to one set of the other apparatuses, to which the control circuit is outputting at present, when the number of the other apparatuses to which the control circuit is outputting at present is equal to said at least one of the number of said other apparatuses through which the program can be simultaneously viewed or the number of said other apparatuses through which the program can be simultaneously recorded.

**Claim 38** has been replaced with the following:

38. (currently amended) A receiver apparatus as defined in the claim 33, wherein said at least one of the number of the other apparatuses; through which the program can be simultaneously viewed or the number of said other apparatuses through which the program can be simultaneously recorded, is determined based on a receiving contract between a provider of said program and a user of said receiver apparatus.

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**Claim 39** has been replaced with the following:

39. (currently amended) An information output apparatus for outputting Audio Visual (AV) data received from a source of said data to other apparatuses, comprising:

an output circuit for outputting said data received from the source to said other apparatuses; and

a controller for controlling an output of said output circuit, so as to manage at least one of a number of said other apparatuses, through which the data can be simultaneously viewed or a number of said other apparatuses through which the program can be simultaneously recorded,

wherein said controller determines the number of said other apparatuses, determines whether said other apparatuses are regularly certified apparatuses which can receive said data, restricts said other apparatuses, to which said output circuit outputs said data, to the regularly certified apparatuses, and restricts said other apparatuses which can simultaneously view or record the data being output to be less than or equal to said at least one of the number of said other apparatuses through which the program can be simultaneously viewed or the number of said other apparatuses through which the program can be simultaneously recorded.

**Claim 40** has been replaced with the following:

40. (currently amended) An information output apparatus as defined in the claim 39, wherein said control circuit provides no data to the other apparatuses other than that, to which the control circuit is outputting at present, when the number of the other apparatuses to which the control circuit is outputting at present is equal to said at least one of the number of said other apparatuses through which the program can be simultaneously viewed or the number of said other apparatuses through which the program can be simultaneously recorded.

**Claim 43** has been replaced with the following:

43. (currently amended) An information output apparatus as defined in the claim 39, wherein said control circuit interrupts an output to one set of the other apparatuses, to which the control circuit is outputting at present, when the number of the other apparatuses to which the control circuit is outputting at present is equal to said at least one of the number of said other apparatuses through which the program can be simultaneously viewed or the number of said other apparatuses through which the program can be simultaneously recorded.

**Claim 44** has been replaced with the following:

44. (currently amended) An information output method for outputting Audio Visual (AV) data received from a source of said data to other apparatuses, comprising the steps of:  
managing at least one of a number of said other apparatuses, through which said data received from the source can be simultaneously viewed or a number of said other apparatuses through which the program can be simultaneously recorded, by determining the number of said other apparatuses, determining whether said other apparatus are regularly certified apparatuses which can receive said data, and restricting said other apparatuses, to which the data is to output, to the regularly certified apparatuses; and

restricting said other apparatuses which can simultaneously view or record the data being output to be less than or equal to said at least one of the number of said other apparatuses through which the program can be simultaneously viewed or the number of said other apparatuses through which the program can be simultaneously recorded.

**Claim 45** has been replaced with the following:

45. (currently amended) An information output method as defined in the claim 44,

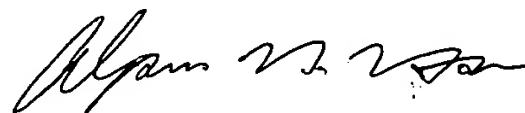
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wherein no data is provided to the other apparatuses other than that, to which data is being output at present, when the number of the other apparatuses to which data is being output at present is equal to said at least one of the number of said other apparatuses through which the program can be simultaneously viewed or the number of said other apparatuses through which the program can be simultaneously recorded.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpus H. Hsu whose telephone number is (571)272-3146. The examiner can normally be reached on M-F (5:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571)272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



AHH

Alpus H. Hsu  
Primary Examiner  
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